

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

TRACI BIRCHFIELD,

Defendant.

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Case No. 2:08-CR-0072

JUDGE ALGENON L. MARBLEY

ORDER

This matter is before the Court on Defendant Traci Birchfield's Motion for Early Termination of Supervised Release (Doc. 46).

On September 15, 2009, this Court entered an Amended Judgment (Doc. 44), pursuant to Defendant's plea agreement with the Government, under which Defendant was sentenced to two one year and one day terms of imprisonment to run concurrently. The Amended Judgment also sentenced Defendant to three years of supervised release following her release.

Since Defendant's release, she has maintained steady employment and made significant progress towards a Bachelor of the Arts degree. More significantly still, Defendant's Probation Officer has indicated Defendant has complied with all restrictions of her supervised release. Neither Defendant's Probation Officer, nor the Government oppose to early termination of Defendant's supervised release, which is due to end in less than 18 months' time.

After a defendant has served one full year of supervised release, a court has the power to order early termination of the period of supervised release. 18 U.S.C. §3583(e)(1). Under 18 U.S.C. § 3583(e)(1), "[t]he court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7) . . . terminate a term of

supervised release and discharge the defendant released at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.”

Having considered the relevant statutory factors set out in 18 U.S.C. § 3553, the Court concludes that early termination from supervised release is warranted in this case. Not only has Defendant satisfied all the conditions of her supervised release to the satisfaction of her Probation Officer, but she has also made significant progress in both her career and education.

In the interests of justice, therefore, Defendant’s Motion for Early Termination of Supervised Release (Doc. 46) is **GRANTED**.

IT IS SO ORDERED.

s/ Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: April 1, 2013